



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

U.S. SERIAL NO. : 10/729,167
APPLICANTS : Fourney, et al.
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EXAMINER : Roy R. Teller
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TITLE : FAT REGULATION

Commissioner for Patents
PO Box 1450
Alexandria VA 22313-1450

AMENDMENT AND REPLY UNDER 37 CFR 1.114

Sir:

This Amendment and Reply under 37 C.F.R. § 1.114 constitutes a Request for Continued Examination (RCE) and is responsive to the Final Office Action dated 23 May 2008 in the above-identified patent application. Applicants filed a Notice of Appeal on 20 November 2008 as provided by 37 C.F.R. § 1.8. The Notice was received by the Office on 24 November 2008. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. §141, or the commencement of a civil action under 35 U.S.C. §145 or §146 (unless the appeal or civil action is terminated). This RCE is timely filed before or on its next due date of June 24, 2009, together with a 5-month extension of time.

Amendments to the Claims are reflected in the listing of claims, which begins on page 2 of this document.

Remarks/Arguments begin on page 4 of this document.

Please amend the application as follows.

Certificate of mailing or transmission under 37 CFR § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 22 June 2009.

Name: Michael Moores

Signature: